



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Examining Operations

Application of : KNIPE ET AL.
Serial No : 08/278,601
Filed : July 21, 1994
For : HERPESVIRUS REPLICATION DEFECTIVE MUTANTS
Art Unit : 1645
Examiner : Caputa, A.

Assistant Commissioner for Patents
Washington, D.C. 20231

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Amendment Transmittal Letter

Dear Sir:

Transmitted herewith is Applicants' response to the Office Action of April 1, 1998 in the above case. The fee due, if any, has been calculated as follows:

Claims After Amendment	Highest No. Paid For	Extra	Rate Fee	Addl.
Total 43	- 35	= 8 x	11 = \$ 88	
Indep. 16	- 12	= 4 x	41 = \$164	
Total Additional Fee.....			= \$252	

is paid by enclosed check no. 27696 and the Commissioner is authorized to charge any required fees not accompanying this communication and to credit any overpayment to Deposit Account No. 03-0678. A duplicate copy of this paper is enclosed.

FIRST CLASS CERTIFICATE

I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, DC 20231

Raina Semionow 9-8-98
Raina Semionow, Esq. Date

Respectfully submitted,

Raina Semionow

Raina Semionow, Esq.
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Patent Examining Operations

Applicant(s): KNIPE ET AL.

Serial No: 08/278,601 Art Unit: 1645

Filed: July 21, 1994 Examiner: Caputa, A.

TITLE: HERPESVIRUS REPLICATION DEFECTIVE MUTANTS

Assistant Commissioner for Patents
Washington, D.C. 20231

SUBMISSION AFTER FINAL REJECTION UNDER 37 C.F.R. §1.129

Sir:

Applicants request withdrawal of finality of the rejections and submit the following amendment and remarks in connection with the above-captioned application. Also enclosed is the appropriate fee under 1.17(r) of \$395.00.

This submission includes a response to the Office Action mailed from the Patent Office on April 1, 1998 in the above-identified application. Applicants respectfully request a three month extension of time to respond to the Office Action dated April 1, 1998. A petition for a three month extension of time and the appropriate fee are enclosed with this Amendment. This submission also includes a 37 C.F.R. §1.131 Declaration of David Knipe.

Please amend the above-identified application as follows:

In claims 1, 5 and 9, 4th line, please delete "genome".

In claims 12, 17, 18 and 32, 6th line, please delete "genome".

09/16/1998 MMARMOI

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02 FC:202
03 FC:203
04 FC:246

164.00 OP
88.00 OP
395.00 OP